

THE WHITE HOUSE
WASHINGTON

~~SECRET~~

ACTION

JAN 15 1970

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *HK*

SUBJECT: Policy Issues Regarding South Africa and the Portuguese Territories

Following up on the last NSC meeting, below are issues for your decision in policy toward South Africa -- the question of naval calls and the arms embargo. For convenience, since the basic choices are the same, I am also including here the issue of the arms embargo on the Portuguese territories.

My recommendation follows presentation of each issue.

1. Should the Navy call at South African ports for refueling?

Background: Calls at South Africa were suspended in 1967 amid congressional and public controversy over the visit of the FDR. Individual shore leave would subject black crew members to South African racial restrictions. The South Africans have offered to cooperate quietly, however, in the organization of racially integrated activities for our crews, which would probably avoid incidents. The South Africans want the naval calls resumed, but will not accept refueling only without arrangements eventually for shore leave.

Thirty-three congressmen have written Secretaries Rogers and Laird re-emphasizing opposition to the calls.

Since the FDR incident, five carriers have transited via the Cape without stopping at South Africa. The Navy plans five carrier transits to Southeast Asia via South Africa in 1970. Without calls at South Africa, the carriers would be refueled enroute at a time when the Navy plans to reduce its already limited fleet of oilers for economy reasons. There are no other ports in Southern Africa capable of handling carriers.

NSS/NSC, DOS, NAVY
Reviews Completed

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As a practical matter, the refueling problem will not arise until October 1970, since British oilers will probably be available to service the planned transits in February and May 1970.

The choices here boil down to:


- resuming routine naval calls without attention to the discriminatory practices ashore;
- resuming calls with arrangements (as South Africa has offered) for organized integrated activities among our crew members to avoid incidents; and
- foregoing naval calls, either because we would impose conditions unacceptable to the South Africans or simply refuse to call as a matter of principle.
- The arguments for resuming naval calls are that it would (1) substantially reduce the cost and difficulty of US naval transit, and (2) could be done without racial incidents.
- Others argue that (1) naval calls are a visible US association with South Africa which could be politically damaging whatever the shore leave arrangements, and (2) no logistical convenience justifies some inevitable acquiescence in discrimination against our servicemen.

RECOMMENDATION:

With the first call scheduled in October 1970, I do not believe the logistical or other advantages of resumption would justify the possible political exploitation of a visit at that time. You might reconsider this issue, however, at the end of 1970.

I recommend that the Navy be instructed to continue through 1970 to limit calls at South African ports to emergencies only.

Approve



Disapprove

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2. Arms Embargos Against South Africa and Portugal

Background: South Africa. The U. S. announced a unilateral arms embargo in August 1963, and later the same year supported UN Security Council Resolutions calling for a world-wide embargo on South Africa of all arms and ammunition. We have made some exceptions for dual-use items and for certain U. S. components included in third country sales. But policy in these grey areas has tended to be restrictive rather than lenient. Since the embargo, we have also restricted general military relations with South Africa -- avoiding conspicuous contacts, South African attendance at U. S. military courses, etc.

The U. S. has enforced the arms embargo more strictly than other suppliers -- UK, France and Italy, who have sold jet fighters and helicopters, and have been very lenient on dual-purpose items. Our strict observance of the arms embargo has probably cost us about \$500 million in potential arms sales since 1963.

U. S. military aircraft use airports in South Africa. The country is a reliable trans-Africa route and a good base for surveillance flights. But we have limited our overflights and airport use as a matter of policy in keeping with the generally restricted military relations.

Portugal. We have embargoed the supply of arms to either side in the Portuguese colonial conflict since 1961. Arms to Portugal for use in NATO and some dual use equipment have not been affected when the Portuguese have assured us that the materials would not be used in Africa.

The Africans and communists maintain that Portugal uses American weapons in Africa despite Portuguese assurances, and that U. S. support in the NATO context frees Portugal to use her own resources in Africa anyway. Although there have been several instances where Portugal may have violated her assurances (and there has been one case where Portugal knowingly received B-26's smuggled out of the U. S.), the Portuguese have, in general, kept their assurances.

The Portuguese resent our current restrictions. They argue that they are a NATO ally defending the West on its African flank. This issue may well be involved in the forthcoming U. S. -Portuguese negotiations on the facilities in the Azores.

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There are three choices:

- a. Quietly terminate the arms embargos.
- b. Quietly relax the embargo through liberal treatment of dual purpose items (trucks, non-combat aircraft, etc.)
- c. Maintain the embargo on all arms and military equipment, including strict interpretation on dual-use items.

Some argue that relaxing military dealings could (1) mean a sizeable expansion of profitable exports; (2) improve our intelligence gathering and access in South Africa; (3) significantly improve relations with Portugal.

Others argue that: (1) moves involving military matters are clearly most vulnerable politically, and (2) even if we lifted the embargo entirely, we can expect no real leverage on the South Africans or Portuguese. They will afford us minimum overflight and landing rights in any case.

RECOMMENDATION:

Despite a sizeable potential gain in arms sales, lifting the embargos entirely would be one of those symbolic actions most likely to raise a political storm that would overshadow any benefit.

And even a relaxation vis-a-vis South Africa would be likely to leak sooner or later, bringing more trouble in Africa and domestically than worthwhile at this stage. You can afford to test the water by a quiet easing of general posture towards Southern Africa (covered in a separate memorandum). The arms embargo -- like the Salisbury consulate -- can be a counter held in reserve to adjust (or maintain) as future developments warrant.

The Portuguese case is different, however, both in terms of our relationship with Lisbon and the somewhat more benign way the Africans see Portugal. Despite the danger here also of a leak, a slight loosening of arms supply policy would be a useful gesture to tell Caetano (as the Azores negotiations come forward) that we mean what we say about a less doctrinaire approach.

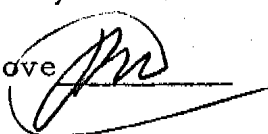
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Though there are no pressing operational reasons for decisions on the embargos, on policy grounds I recommend that you (1) maintain the arms embargo on South Africa for the time being, and (2) relax the embargo on Portugal by excepting non-lethal equipment which has dual civilian and military uses.

Approve



Disapprove

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 DATE 11/11/01 BY 1043

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THE WHITE HOUSE
WASHINGTON

SECRET

January 15, 1970

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *HK*

SUBJECT: Southern Africa Policy Decisions

Attached are three memoranda on Southern African issues for decision which you may wish to consider together.

You deferred decision on these matters when the subject was discussed by the NSC December 17.

*Excellent
Staff work*

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THE WHITE HOUSE
WASHINGTON

SECRET

ACTION

January 15, 1970

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *AK*

State Dept. review completed
pages 7-10

SUBJECT: Decision on Policy Toward Rhodesia

Following are issues for your decision regarding Rhodesia -- the status of our Salisbury Consulate and the imports of chrome -- which were discussed at the last NSC meeting.

My recommendations follow the presentation of each issue.

1. Should we maintain our Consulate in Salisbury?

Background: After Rhodesia's Unilateral Declaration of Independence in 1965, the US withdrew its Consul General but retained a small office, which services 1100 American residents (largely missionaries) and is officially accredited to the United Kingdom.

25X1

25X1

Following a referendum in Rhodesia last June -- which entrenched white minority rule and looked toward declaration of a Republic as a final break with Britain -- the UK closed its mission in Salisbury. London is now urging us to close. Japan and Belgium have withdrawn. West Germany, Italy, France, the Netherlands, Switzerland, South Africa and Portugal remain, all but the latter two probably waiting to follow our lead.

When the Rhodesians assume Republican status (probably some time next spring) the question may arise as to the accreditation of our Consular representatives. The UK could refuse to accredit our personnel, or, (less likely) the Rhodesians could ask our Consulate be accredited to them, constituting recognition.

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The choices:

-- Maintain the Consulate in a low-key pending further developments.

-- Close the Consulate now.

-- Close the Consulate automatically when accreditation to the UK becomes impossible.

-- Those who favor maintaining the Consulate argue that it (1) does not constitute diplomatic recognition; (2) provides services to US residents; (3) [redacted] (4) is a valuable point of contact with both whites and blacks in a fluid situation; (5) can be a bargaining counter in future efforts to "balance" our policy in the area. 25X1 25X1

-- Those who favor closing the Consulate argue that: (1) its presence unavoidably gives status to the Smith regime and undercuts moderate opponents; (2) it tends to undercut the British position; and (3) [redacted] political reporting, and contact with the Smith regime can be accomplished adequately from neighboring South Africa. 25X1

(You will recall that State -- arguing the Consulate was a particularly sore point among Africans -- alluded at the NSC to the Secretary's bilateral conversations with African leaders at the UN this fall. For your background, I have attached at Tab A memoranda of the Secretary's conversations relating to Rhodesia. Of the 20-odd Africans seen, three raised the issue with us; the Secretary raised the issue with four others; the Salisbury Consulate did not arise with the remainder.)

RECOMMENDATION:

My own view is that the case has not been made for pulling out the Consulate at this juncture. For the most part, the Africans are accepting our position that consulates do not carry recognition, and even the radical Tanzanians (witness the Secretary's UN talks) are not disposed to make an issue of the consulate. This will certainly change should the question of formal recognition of Rhodesia arise this spring. But until then, the Consulate [redacted] 25X1

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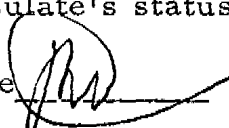
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25X1

[] keeps our eyes open in a fluid situation and remains an asset you could utilize in a later trade-off. For example, once the legal questions over the chrome applications are cleared up, you might choose to give up the Consulate and bring in the chrome. In any event, it seems to me unnecessary and premature to give up Salisbury now.

I recommend that you maintain your earlier decision to keep the Consulate in Rhodesia so long as the legal question of U.S. recognition does not arise. (This decision would have to be reviewed if either the British withdraw accreditation or the Rhodesians raised the question of the Consulate's status.)

Approve 

Disapprove _____

2. Rhodesian Chrome

You will recall that this question involved three pending requests for imports -- Union Carbide and Foote Mineral for chrome, and Corning Glass for petalite. At issue was the application of current "hardship" regulations guiding exceptions to sanctions, which allow imports paid for prior to our Executive Order in 1967.

Some argue that we should relax our ban on imports because sanctions have been ineffective and we are penalizing U.S. firms unjustifiably. In any event they argue that we should allow chrome imports to avoid increasing dependence on the USSR as a principal source. They contend that, aside from the broader question of sanctions, reasonable hardship cases have been made by the American companies.

Others contend that Carbide's case is marginal at best and the others are clearly not hardship cases under current definition. They argue, moreover, that any importation will be a highly visible relaxation of sanctions which (1) will prompt further requests which will be difficult to refuse and (2) will result in great political damage to us in the UN and with the Black African States.

As noted in the NSC discussion, however, there remains an unresolved legal point about Union Carbide's claim that its chrome comes under the current hardship definition. Specifically, the agencies disagree on whether the transfer of funds to wholly-owned subsidiaries should be regarded as payment to Rhodesia.

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Until this matter is determined, you cannot be sure that a choice to maintain the present regulations will afford any relief to U. S. firms hurt by sanctions. To clarify your choice on this issue, the Union Carbide case should be reviewed again. I would propose to ask Justice to make a final ruling if the inter-agency legal dispute between State, Commerce, and Treasury persists after further study.

This study should be completed by the end of January, and we will then be able to present the operational consequences of your policy decision on the disposition of the chrome. In any event, as I pointed out in a separate memorandum, you may wish to hold action on the chrome pending developments on the Salisbury Consulate, for a possible trade-off of Consulate for chrome.

RECOMMENDATION:

That you instruct a final clarification of the Union Carbide case under present regulations, with inter-departmental differences to be resolved by Justice. This issue would then be presented again for your decision.

Approve



Disapprove

Approved by RLBrown, 9/23/69, NYC

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ECGrigg, III:heb
9/22/69

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SecDel/MC/3
September 22, 1969

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SECRETARY'S DELEGATION
TO THE
TWENTY-FOURTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY
New York, September, 1969

MEMORANDUM OF CONVERSATION

DATE: September 22, 1969

TIME: 9:30 a.m.

PLACE: US Mission to UN

SUBJECT: Secretary's Bilateral Talk with Ethiopian Foreign Minister
(Part III of IV - Southern Rhodesia) (Part II)

PARTICIPANTS:

U.S.: The Secretary

FOREIGN: Foreign Minister Ketema

E. C. Grigg, III

Mr. Berhane Deressa

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S, U, J, C, White House, IO, INR, S/PC, CIA, AF
AmEmbassies ADDIS ABABA, LAGOS
Office of the Vice President

Southern Rhodesia. The Foreign Minister asked the Secretary what the US planned to do about its Consulate in Salisbury. He said that this question had been raised in some of the informal meetings of the OAU. Some felt that by not closing the Consulate the US was undermining British policy in Rhodesia as well as the African cause. The Secretary recognized the problem and said that for the moment because of the number of American citizens now in Rhodesia, the feeling was that the Consulate was there in order to take care of US nationals.

SECRET

September 23, 1969

Approved by RLBrown, 9/25/69, NYC.

SECRETARY'S DELEGATION
TO THE
TWENTY-FOURTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY
New York, September, 1969

MEMORANDUM OF CONVERSATION

DATE: September 23, 1969

TIME: 9:30 a.m.

PLACE: USUN

SUBJECT: The Secretary's Bilateral Talk with the President
of Botswana

PARTICIPANTS:

U.S.: The Secretary
Ambassador Dean Brown
H. F. Byrne, AF/S

FOREIGN: President Sir Seretse
Khama, KBE
Mr. Nwako, Minister of
State for Foreign Affairs
Chief Linchwe, Botswana
Ambassador to the US

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General Election in Botswana

After an exchange of greetings, Sir Seretse said he must return to Botswana to campaign for elections, which would be held October 18th. He explained that though three parties would be in the contest, the issues were purely domestic. The only opposition candidate who had any real issue was Chief Bathoen, who was opposed to the government's policy of reducing the authority of the tribal chiefs.

U.S. Aid to Botswana

Referring to the Nata-Kazengula road project, Sir Seretse said he was grateful to the United States for its help in getting the technical survey started. This road, when completed,

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would help Botswana to diversify its economy through expanded trade with Zambia and through tourism. Sir Seretse said he was aware that the previous administration as a matter of policy was limited in its AID program to regional projects. Botswana, like a number of other African countries, could not easily develop regional projects, owing to its geography and relations with its neighbors. He hoped the present administration would realize the effect of this limitation. The Secretary replied that regionalism was not exclusive; indeed, the U.S. had a number of bilaterals. He assured Sir Seretse that he would keep Botswana's case in mind.

Relations with Southern Rhodesia

Sir Seretse then spoke at some length about the Rhodesian Railway which traverses an important part of Botswana. Whereas he was eager to adhere to the sanctions policy against Southern Rhodesia, for a number of reasons it was not practicable to obstruct the railroad's operations inside Botswana. The GOB had an option to buy out Southern Rhodesian Railway but it could neither afford to purchase it nor was it in the interests of Botswana to force Rhodesia to build an alternate route connecting Southern Rhodesia with the South African net at Beit Bridge. Sir Seretse said the connection his government had with Rhodesian Railway was an embarrassment but he felt there was no suitable alternative at present.

He went on to say that in regard to Southern Rhodesia he was pleased to note at the recent OAU conference that the Members had taken a more rational stance than in the past and there had been no "wild" resolutions; rather there had been something other than violence recommended. In this connection, he said it was a source of surprise to many that the U.S. continued to maintain its consulate in Salisbury. He believed it would be helpful for the U.S. to take note of the change in tactic by the OAU and perhaps withdraw its staff from Salisbury. Such a step could not help command the attention of the Smith Regime nor could it escape the notice of South Africa. Others would then surely follow suit.

The Secretary expressed appreciation for Sir Seretse's comments. He was glad to learn of the more rational approach taken by the OAU on this matter than the highly emotional and unrealistic examples previously. He said the U.S. desires to assist in any way possible. The application of sanctions, he thought, was an important step the U.S. had taken. He believed the question of the U.S. consulate was relatively

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unimportant. The Secretary pointed out that there are still quite a few American citizens in Southern Rhodesia ... maybe as many as 2,000. At the same time, it was also the policy of the U.S. Government to provide protection and consular services for its citizens abroad. When Southern Rhodesia finally announces independence, the U.S. will make a decision in the matter. The present U.S. representative is accredited to the Queen of England. His presence does not constitute recognition of the present regime. In short, the Secretary thought he and Sir Seretse were in agreement on a policy toward Rhodesia. It was also agreed that each country had the obligation to protect its citizens abroad. Therefore, the only difference of views was on the symbolic importance of retaining a consulate in Salisbury. This seemed relatively unimportant.

U.S. Representation in Botswana

Minister Nwako raised the question of U.S. representation in Botswana. He thought it would be helpful in terms of Botswana's relations with her neighbors, especially South Africa, if the U.S. could appoint an ambassador in Gaborone instead of the present Charge arrangement. The Secretary explained that, though the Department was entirely in favor of this, it was a matter that could not be acted upon without consulting the Legislative Branch, which had to vote the funds and give its consent to such an appointment. At present the Congress was disinclined to do so; in fact it was ordering reductions in expenditures. However, he assured Sir Seretse that the matter would receive attention as soon as expedient.

Botswana-South Africa Relations

Minister Nwako then referred to the general position of Botswana in Southern Africa, especially its relationship with South Africa. The Minister pointed out that Botswana aspired to become a viable, non-racial state, independent to the greatest possible extent of South Africa. He hoped the U.S. would continue to be sympathetic to these aims and that in due course the U.S. could provide financial assistance to Botswana. The Secretary replied that the U.S. would of course be glad to help within existing limitations.

Sir Seretse expressed thanks for this opportunity to meet the Secretary again and the meeting ended.

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SecDel/MC/51
October 2, 1969SECRETARY'S DELEGATION
TO THE
TWENTY-FOURTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY
New York, October, 1969MEMORANDUM OF CONVERSATION

DATE: October 2, 1969

TIME: 10:30 a.m.

PLACE: USUN

SUBJECT: Secretary's Bilateral with Kenyan Foreign
Minister, October 2
(Part III of IV - SALISBURY)

PARTICIPANTS:

U.S.: The Secretary
Ambassador Dean BrownKENYA: Foreign Minister Koinange
Ambassador Henry Mulli,
UN

Distribution:	S/S	C	AmConGen Salisbury
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The Foreign Minister brought up the consulate in Salisbury.
The Secretary said that it is a small office of a temporary nature whose purpose is to protect the 2,000 American citizens in Rhodesia. Our consul is accredited to the UK. If Rhodesia becomes a republic, it will be a different situation. In the meantime we hope for Africa patience and understanding.

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SecDel/MC/33
October 1, 1969

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SECRETARY'S DELEGATION
TO THE
TWENTY-FOURTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY
New York, September, 1969

MEMORANDUM OF CONVERSATION

DATE: September 29, 1969

TIME: 10:30 A.M.

PLACE: USUN

SUBJECT: Secretary's Bilateral with Malian Foreign Minister,
September 29
(Part IV of IV -- Salisbury)

PARTICIPANTS:

U.S.: The Secretary
Amb. Dean Brown
Sam Maggio

MALI: FonMin Coulibaly
Amb. Seydou Traore
(Wash.)

Distribution:

S, U, J, D, C, S/S, S/PC, INR/OD, WH, VP, AF,
USUN, AmEmbassies BAMAKO, SALISBURG

The Secretary mentioned one question which had not been brought up by the Minister and said that he knew that Mali was as interested as any other African country in the problem of the U.S. Consulate General in Salisbury. It is a temporary situation. The Consulate is small and exists solely to provide Consular services to US citizens. The US deals directly with the UK and does not recognize the Smith regime. We will take into consideration the remarks that have been made on this particular problem by several delegations.

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Department of State

TELEGRAM

SECRET 465

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SECTO: 58

SUBJ: SECRETARY'S BILATERAL WITH TANZANIAN FOMIN,
 SEPT. 26

1. FOLLOWING SUMMARY BASED ON UNCLEARED MEMCON, NOFORN AND FYI ONLY SUBJECT TO REVISION UPON REVIEW:
2. MHANDO SAID HE WANTED DISCUSS NIGERIA. DOES NOT WANT US TO GET INVOLVED IN INTRICACIES OF NEGOTIATIONS BUT RATHER USE INFLUENCE TO PUSH THE PARTIES TO NEGOTIATING TABLE. FMG LOOKS ON TANZANIA AS VILLAIN BECAUSE OF ITS EARLY RECOGNITION BIAFRA. GOT IS NOT INTERESTED IN SECESSION AS SUCH BUT WANTS TO SEE KILLING STOPPED. NIGERIA CAN BE UNITED AFTER NEGOTIATIONS BUT BIAFRA CANNOT BE FORCED TO ACCEPT CONCEPT IN ADVANCE. THEY NEED SECURITY ASSURANCES. OAU CANNOT SOLVE PROBLEMS; TOO MANY OF ITS MEMBER HAVE POTENTIAL BIAFRAS WITHIN THEIR BORDERS. US SHOULD TALK TO NIGERIANS AND PRESS THEM TO TALK WITHOUT PRECONDITIONS. IF US CAN GET FMG TO TALK UNDER SUCH CIRCUMSTANCES, GOT WILL USE ITS INFLUENCE WITH BIAFRA TO REACH ACCOMMODATION.

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Department of State

TELEGRAM

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PAGE 02 USUN N 03249 262231Z

3. SECRETARY REPLIED WE HAVE PLAYED MAJOR ROLE IN HUMANITARIAN RELIEF. WE'VE SENT NO ARMS AND HAVE AVOIDED POLITICAL INVOLVEMENT. WE UNDERSTAND STRONG AFRICAN FEELINGS ABOUT NATIONAL INTEGRITY AS WELL AS BIAFRAN CONCERNS WITH OWN SAFETY. WE HAVE CONFIDENCE IN AFRICAN NATIONS AND BELIEVE IT IMPORTANT FOR OAU TO PLAY ROLE. WE HESITATE TO EXPRESS POLITICAL VIEWS AS WE COULD BECOME INVOLVED IN NEGOTIATIONS AS INTERMEDIARY. MANY PEOPLE, INCLUDING POPE, ALREADY INVOLVED AND IT IS DOUBTFUL WE COULD CONTRIBUTE MUCH. IF, HOWEVER, AT LATER DATE THERE IS SOMETHING WE COULD DO WHICH WOULD HAVE SIGNIFICANT PART IN GETTING NEGOTIATIONS GOING, WE WOULD CONSIDER IT. SECRETARY ASKED WHAT BIAFRANS HAVE AS ULTIMATE AIM AND WHAT THEY WILL ACCEPT.

4. MHANDO REPLIED THAT THEY WOULD ACCEPT A LOOSE FEDERATION, --A MUCH LOOSER ONE. ALSO WANT TO CONTROL OIL.

5. ~~SECRETARY BROUGHT UP SALISBURY CONSULATE SAYING IT~~ IS SMALL OFFICE ACCREDITED TO UK FOR PROTECTION AMERICAN CITIZENS IN RHODESIA. HOPED THIS UNDERSTOOD.

6. ~~MHANDO SAID GOT WOULD NOT EXAGGERATE ITS IMPORTANCE.~~ HE ALSO PAID TRIBUTE TO AMBASSADOR JOHN BURNS AND SAID GOT WOULD WORK CLOSELY WITH AMBASSADOR ROSS DESPITE OCCASIONAL PROBLEMS BETWEEN TWO COUNTRIES. ROGERS

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VP
DeanBrown:ks

~~SECRET~~ - FYZ 15302
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SecDel/MC/
September 26, 1969

SECRETARY'S DELEGATION
TO THE
TWENTY-FOURTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY
New York, September, 1969

MEMORANDUM OF CONVERSATION

DATE: September 26, 1969

TIME: 10:00 a.m.

PLACE: USUN

SUBJECT: Secretary's Bilateral with Nigerian Foreign
Minister, September 26
(Part II of II - Salisbury)

PARTICIPANTS:

U.S.: The Secretary NIGERIAN: Arikpo, Foreign Minister

Ambassador Yost

Mr. J. T. Iyalla, Ambassador
to U.S.

Amb. Dean Brown

Mr. B. A. Clark, Nigerian
Delegation

Distribution:

S/S, S/PC, INR/OD, WH, AF, EUR, IO, USUN, U/CF,
AmEmbassies LAGOS, LONDON, SALISBURY

The Secretary said he wanted to discuss our Consulate in Salisbury. It is a small one, accredited to the UK, to protect American citizens. Should a republic be proclaimed, it would go.

The Minister said he appreciated what the US was trying to do as well as the pressures that the USG was under. As for Salisbury, Nigeria had never thought the British formula would work. Now a clash seems imminent. He hoped there would not be a racial confrontation in the general area.

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He thought the US should use its influence on South Africa so that South Africa would push Smith towards accommodation. The US, in general, has a flexible policy in Africa. This is good. Even when Nigeria seems impatient or even hurt by what the US does, it understands. Others, however, are involved politically in African internal affairs; this is not good.

SECRET

Approved by RLBrown 10/3/69

SECRETARY'S DELEGATION
TO THE
TWENTY-FOURTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY
New York, September, 1969

08

MEMORANDUM OF CONVERSATION

DATE : October 2, 1969

TIME : 12:15 p.m.

PLACE: USUN

SUBJECT: The Secretary's Bilateral Talk with Foreign Minister Foray --
SOUTHERN RHODESIA (PART 5 of 5)

PARTICIPANTS:

U.S.: The Secretary
Mr. Grigg, SecDel

SIERRA LEONE: FonMin Foray
Mr. Jones
Ambassador Nicol

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The Secretary raised the question of the United States Consulate in Salisbury, stating that he wanted to make clear to the Foreign Minister that the presence of the Consulate was only temporary and that there was no permanency. There were a great number of Americans in Southern Rhodesia and the Consulate was there in order to take care of them. He said that if a Republic were declared in Rhodesia then a change would have to be made.

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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

SECRET

ACTION

January 15, 1970

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *HK*

SUBJECT: Decisions on Southern African Policy

Below are issues for decision following the NSC discussion of Southern Africa. These include:

- General posture toward the area.
- Trade promotion policies.
- South West Africa.

My recommendation follows presentation of each issue.

1. General posture: what should be the nature and extent of our relations with the white states. The operational content of a general posture includes: (a) what to do about various current restrictions on bilateral political and economic relations with the white regimes, (b) our statements and votes at the UN, and (c) our aid and other relations with the black states of the region.

The choices are:

- relaxation of restrictions, through a return to normal relations or a partial relaxation balanced by aid and other gestures to the black states;
- maintain present restrictions on our dealings with the white states, perhaps with a special diplomatic effort as well to gain credibility with the blacks;
- disengagement, severing all but minimal relations with the white states, perhaps involving economic coercion.

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Pros and Cons

Those who favor relaxation argue that (1) our position elsewhere will not be seriously damaged by our relations with the white states because the black states will act in their own self-interest rather than penalize us for pursuit of our own interests; (2) violence in the area will not increase greatly because the blacks recognize the military superiority of the whites, and will not risk their security in confrontation; (3) pressures on the whites are counter-productive anyway; and (4) we can enjoy valuable interests as well as improve our relations with Portugal.

Those opposing relaxation and supporting present restrictions believe that (1) because racialism and colonialism are volatile international issues, some damage to our interests elsewhere will result from our association with the white states; (2) relaxing undercuts the UN and the British, with benefit to the Communists; (3) we already have a credibility problem with the black states; and (4) there are domestic and moral reasons to stay clear of the white states.

Others favor disengagement contending that (1) continued association with the white states will result in serious damage to our interests in the black states, in the UN and elsewhere and no compensating steps will suffice to minimize the damage; (2) increasing violence is inevitable; and (3) if we do not support African aspirations now we will forfeit influence with them in the future. Moreover, they argue that none of our interests in the white states justifies an association with regimes whose policies are an affront to human dignity, particularly with regard to a sizable segment of our own people.

RECOMMENDATION:

I share the view generally expressed at the NSC that we have to "straddle" the black-white division in Southern Africa. The political costs of moving toward fully normal relations with the white states cannot be justified. But neither am I persuaded that we achieve the desirable balance only by arbitrarily restricting our interests on the white states.

This is an extremely long-range (and probably insoluble) problem. We should consult our interests where we can deal quietly with the white states, yet maintain sensitivity to the frustrated black states through close bilateral relations and a modest amount of aid.

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I recommend that you approve a general posture of partial relaxation, This would mean (1) balancing our relations in the area by compensating for -- rather than abandoning -- our tangible interests in the white states, (2) lowering our profile in the UN, (3) quietly relaxing bilateral relations with South Africa by taking a less doctrinaire approach to mutual problems (such as the Ashe case), (4) avoiding pressures on the Portuguese, and (5) increasing aid (by about \$5 million) and making other gestures to the black states.

Approve ✓

Disapprove _____

2. Export Promotion

The issue is whether we should officially encourage U.S. trade through EXIM facilities and routine (highly visible) trade promotion methods in the white-regime countries.

Background: The U.S. enjoys a favorable trade relationship with the white states and there are opportunities for expanded exports through the use of full EXIM Bank facilities and full trade promotion activities.

Present export policy towards the white countries:

South Africa - no EXIM loans; only short and medium term credit guarantees and we avoid highly visible trade promotion such as fairs, etc.

Portuguese Territories - political review of EXIM loan applications, but normal export promotion.

Many other countries including Japan, Australia, Canada, the United Kingdom, France and Italy do not follow a similar policy of restraint and do the usual trade promotion.

There are four choices:

- a. Full facilities in the white-ruled countries, including perhaps eventually Rhodesia.
- b. Limited facilities in South Africa; full facilities in the Portuguese Territories.

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- c. Limited facilities only in the Portuguese Territories.
- d. No facilities in any of the white states.

Some argue that these facilities will sizeably increase U.S. exports to the white-controlled countries and help our balance of payments.

Others contend that U.S. official facilitation of trade increases our involvement in white-regime areas and would be interpreted in black Africa and elsewhere as endorsement of the status quo. They argue that the increased export volume we could expect would not justify paying this political price.

RECOMMENDATION:

There is no urgent reason to decide policy on this now. But the relative disadvantage to U.S. investors is a continuing problem. We should consult our economic interests most readily, it seems to me, so long as we keep an eye on potential targets for the critics, such as trade fairs, official Commerce publications soft-peddalling apartheid, etc.

Should you decide on a general posture of quiet relaxation, consistent with that course I would recommend that you authorize full EXIM facilities for South Africa and the Portuguese Territories -- albeit avoiding conspicuous trade promotion.

Approve ✓ Disapprove _____

3. South West Africa

Background: The territory was mandated to South Africa by the League of Nations, but the mandate was increasingly challenged as apartheid became an international issue in the late '50s. The International Court of Justice has refused to rule on the status of the mandate. In October 1966, the UN General Assembly resolved (with U.S. support) that the South Africa mandate was terminated and would be replaced by UN control.

The South Africans have settled the territory, extended apartheid laws to it, and regard it as an important economic and strategic asset. South Africa claims legality by the original mandate and the ICJ refusal to rule; the Africans counter with the UN Resolution.

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We have restricted official contacts and investment in the territory, while opposing any UN proposal for the use of force. Britain, France and Portugal are usually with us on this question.

As Ambassador Yost emphasized at the NSC, this is a volatile "symbolic" issue at the UN, perhaps raising the prospect of the need for a U.S. or British veto in the upcoming session of the Security Council if the Africans bring in a resolution calling for UN force or sanctions. We could not, of course, support such a resolution which could well lead to a call for U.S. forces.

Some argue that we should relax our position on South West Africa because South Africa is in strong control of the territory, and unrealistic UN efforts only tend to undermine the credibility of the UN as well as irritating the South Africans.

Other contend that we should maintain or harden our restrictive line because we have taken a legal stand, and any retreat -- in the UN especially -- will be visible departure on one of the symbolic "test cases" of U.S. credibility on the racial question.

There is general agreement, however, that your real choice here is obscured until we can see the shape of the UN Security Council debate during January and February. To make any move now -- either toward relaxing or hardening our position on the Territory -- would probably only encourage the radicalism we will be trying to head off in New York.

In short, we are caught here in one of those UN legal-political snares, in which tactics supplant policy at least for the moment. As the UN situation clarifies -- presenting either the prospect of a U.S. veto or the option of policy maneuver over the next year -- this issue will be presented again for your decision.

RECOMMENDATION:

That you instruct an interim policy of playing down this issue at the UN to head off the prospect of a U.S. veto, until the situation clarifies and the issue may be presented again for long-range decision.

Approve ✓

Disapprove _____

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THE WHITE HOUSE

WASHINGTON

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January 25, 1970

MEMORANDUM FOR HENRY KISSINGER

INFORMATION

FROM: Roger Morris *R.M.*

SUBJECT: State's Proposals on South West Africa

There are two recommendations in the draft memorandum attached, both ostensibly designed to appease the Africans and thereby head off a radical resolution on South West Africa in the UN Security Council, perhaps as early as next week. The proposed actions are as follows:

1. Investment. That we (a) publicly discourage US investment in South West Africa, (b) refuse to give EXIM credits or other commercial facilities, and (c) refuse any diplomatic help (which we normally give to our investors overseas) if US business interests in South West Africa run into trouble with the present regime or any successor.

This proposal would be definitely a move away from current policy toward a more restrictive economic policy toward South West Africa. At present we (a) neither encourage nor discourage investments, (b) give short-term (up to six months) EXIM credits for investments and (c) promise the normal diplomatic support afforded US investors overseas. To avoid ex post facto appreciation, however, none of the new steps would apply to the present \$64 million US investment in South West Africa (mainly copper).

State argues for these steps:

-- They make it "increasingly uncomfortable" for the South Africans to "stay in" South West Africa.

-- We will be better able to resist immediate African demands at the UN for mandatory economic sanctions on South Africa.

-- They "increase our standing" with African moderates.

-- Despite some effect on US investment, it is "difficult to estimate" how much will be affected.

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The arguments against are:

-- South Africa has settled the Territory, and regards it as a major strategic and economic asset. It is highly unrealistic to expect that minor regulatory moves by the US will bear on their "comfort" in the slightest.

-- The proposals will have little impact on future US investments, except as an irritant.

. We have had only one request for EXIM help in the past 5 years. (Returns on our investments in South Africa have long proven solid and low-risk.)

. US firms are now prospecting the Territory's rich oil and uranium deposits. This may lead to sizeable new investment in the near future. But given the potential for profit and the laissez-faire policy of South Africa, US firms are likely to ignore our "discouragement".

-- Because our steps can be expected to have little impact, or just because US investment goes on anyway, the Africans will find them hypocritical. This is no reason to expect these steps to head off radical Africans on this question.

-- To the degree we may hamper US investments, others (the British and Germans) will pursue fully their own interests in the Territory and South Africa will not lose.

-- In sum, we get nothing at the UN, yet penalize US business without really affecting future investment or hurting South Africa.

2. The second recommendation is that the US support " a new Security Council Resolution to (a) reaffirm the arms embargo on South Africa, and (b) add a clause calling for member states to report on their compliance.

I understand there are no other sponsors for such a resolution, so that this proposal would mean US sponsorship. The ostensible purpose (this proposal is not discussed in the State draft memo) would be to establish a public record on the execution of the 1963 embargo.

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The arguments for:

-- Our compliance with the arms embargo has been total, while others (the British, French, Italians) have been lax or clearly in violation.

-- Reaffirming support for the embargo and showing up other's non-compliance would take off African pressure from the US, and help put off the South West Africa question.

The points against:

-- This would be an antagonistic gesture toward the British and French precisely at the time we want their help (and maybe their veto) in heading off radical UN action on South West Africa.

-- Though our compliance with the embargo has been better than most, we cannot expect the Africans to shift their pressure to Britain or France. The Africans already know well who sells most arms (the French) or trades most (the British) with South Africa. Their heat on us is ideological and often quite apart from realities, just as their relative tolerance of Britain and France is rooted in economic self-interest.

-- Sponsoring this resolution would put us clearly out in front on Southern Africa at the UN -- at a time when the President has instructed a lower-key approach. Reaffirming the embargo, as instituting it in the first place, will anger the South Africans but hardly deprive them of arms.

Another Approach

In my view, neither of these proposals have merit in (a) helping us head off radicals at the UN, or (b) furthering our own interests in Southern Africa.

What we need this week in New York is some plain talk from USUN to the Africans about (a) the folly of radical proposals in face of a sure great Power veto, (b) the resulting damage to UN credibility, (c) the contradiction between such radicalism and the Lusaka Manifesto, and (d) the need for UN "negotiations" with the South Africans to get whatever can be extracted as regards the human rights of the inhabitants of SWA.

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At the same time, State should do a quick canvass of African capitals, where home governments are much less radical than their largely uninstructed delegations at the UN. We should urge moderation and instructions thereto -- on the same arguments as described immediately above.

Finally, we should also enlist U Thant, the Latins and the Asians on the argument that UN credibility is being seriously strained by another round of empty hostility on South West Africa.

The point is we have nothing tangible to offer in appeasing the Africans. The task is diplomatic.

Tucker
to NSC
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*Wait IO memo
has no clearance
The Basic concept
(recommends) have been pretty
well agreed to.*

MEMORANDUM FOR THE PRESIDENT

Subject: Namibia

*To Kagan House
for staffing this
G.M.*

RECOMMENDATION

1. That we formally and publicly discourage US nationals from investing in Namibia on the basis of rights acquired through the South African Government since adoption of General Assembly Resolution 2145; that we announce that US nationals who in the future, nevertheless, invest on the basis of such rights cannot claim US Government assistance to protect that investment; and that we cease extending EXIM Bank credits and other commercial facilities to such investments.

Approve _____

Disapprove _____

2. That the United States support a new Security Council resolution reaffirming the non-mandatory arms embargo of August 7, 1963 (Security Council Resolution 181), with an additional clause calling on member states and the Secretary General to report to the Council on compliance.

Approve _____

Disapprove _____

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DISCUSSION

We need a decision on this aspect of the southern African question now. The Security Council will be meeting on it before the end of the month. African moderates have asked to confer with us and the UK before drafting a resolution. This rather unusual opening will not assure a resolution to our liking but will afford us a reasonable opportunity to help shape an acceptable formulation. In the absence of a US position an extreme resolution, unacceptable to us, is almost certain. A positive position on Namibia will also improve our posture on Africa which will be receiving attention during my visit to that continent.

As you know, the status of Namibia is unique and can be considered separately from other "colonialism" questions in southern Africa. (Decisions taken in this context would not foreclose our options on Rhodesia and the Portuguese territories). The General Assembly on October 27, 1966 adopted Resolution 2145 (enclosed) which decided that South Africa's authority to administer the territory had terminated and that henceforth it was a direct responsibility of the United Nations. The United States voted for that resolution.

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and for Security Council Resolution 264 which called for South Africa to withdraw from the territory. We have consistently maintained that South Africa's continued presence in and administration of the territory are illegal.

The recommended steps are, hence, logical and appropriate extensions of present US policy and will give more meaningful effect to our long-standing position. I do not anticipate that they will force the South Africans out of Namibia at an early date; they may, however, make it increasingly uncomfortable for them to stay in. Also, we cannot anticipate that these measures will prevent African countries from continuing to press more extreme positions. They should, however, help us to resist immediate demands for more extreme measures such as mandatory economic sanctions. They should also, as a good faith effort on our part, increase our standing with the moderate Africans and strengthen hand in dealing with the more radical Africans.

While the recommended steps would obviously have some effect on US business interests, I do not believe we should withhold action. To avoid ex post facto effect, only investments made subsequent to a US Government announcement on the

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matter would be affected. It is difficult to estimate how much investment might be deterred by these steps (the book value of present US investment is probably some \$64 million, of which \$60 million is accounted for by one firm, the Tsumeb copper mine).

We have considered additional suggestions put forward by the US Delegation to the 24th General Assembly and others. Some of these will require further study and detailed analysis:

1. That the United States cease to recognize, for US tax purposes, payments by US firms to the South African Government on account of their enterprises in Namibia. (Examination may show that such a step is required under existing law)

2. That steps be taken to give effect to the UN's authority to collect, on behalf of the inhabitants, taxes and royalties from commercial activities in Namibia.

Clearances:

IO - Mr. De Palma
E - Mrs. Gold
AF -
L -
USUN - Amb. Yost

IO:UNP:NHFrisbie:JAArmitage:jkb 1/22/70

A/RES/2145 (XXI)
28 October 1966

2145 (XXI). QUESTION OF SOUTH WEST AFRICA

The General Assembly,

Reaffirming the inalienable right of the people of South West Africa to freedom and independence in accordance with the Charter of the United Nations, General Assembly resolution 1514 (XV) of 14 December 1960 and earlier Assembly resolutions concerning the Mandated Territory of South West Africa,

Recalling the advisory opinion of the International Court of Justice of 11 July 1950, which was accepted by the General Assembly in its resolution 449 A (V) of 13 December 1950, and the advisory opinions of 7 June 1955 and 1 June 1956 as well as the judgement of 21 December 1962, which have established the fact that South Africa continues to have obligations under the Mandate which was entrusted to it on 17 December 1920 and that the United Nations as the successor to the League of Nations has supervisory powers in respect of South West Africa,

Gravely concerned at the situation in the Mandated Territory, which has seriously deteriorated following the judgement of the International Court of Justice of 18 July 1966,

Having studied the reports of the various committees which had been established to exercise the supervisory functions of the United Nations over the administration of the Mandated Territory of South West Africa,

Convinced that the administration of the Mandated Territory by South Africa has been conducted in a manner contrary to the Mandate, the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming its resolution 2074 (XX) of 17 December 1965, in particular paragraph 4 thereof which condemned the policies of apartheid and racial discrimination practised by the Government of South Africa in South West Africa as constituting a crime against humanity,

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Emphasizing that the problem of South West Africa is an issue falling within the terms of resolution 1514 (XV),

Considering that all the efforts of the United Nations to induce the Government of South Africa to fulfil its obligations in respect of the administration of the Mandated Territory and to ensure the well-being and security of the indigenous inhabitants have been of no avail,

Mindful of the obligations of the United Nations towards the people of South West Africa,

Noting with deep concern the explosive situation which exists in the southern region of Africa,

Affirming its right to take appropriate action in the matter, including the right to revert to itself the administration of the Mandated Territory,

1. Reaffirms that the provisions of General Assembly resolution 1514 (XV) are fully applicable to the people of the Mandated Territory of South West Africa and that, therefore, the people of South West Africa have the inalienable right to self-determination, freedom and independence in accordance with the Charter of the United Nations;

2. Reaffirms further that South West Africa is a territory having international status and that it shall maintain this status until it achieves independence;

3. Declares that South Africa has failed to fulfil its obligations in respect of the administration of the Mandated Territory and to ensure the moral and material well-being and security of the indigenous inhabitants of South West Africa, and has, in fact, disavowed the Mandate;

4. Decides that the Mandate conferred upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa is therefore terminated, that South Africa has no other right to administer the Territory and that henceforth South West Africa comes under the direct responsibility of the United Nations;

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5. Resolves that in these circumstances the United Nations must discharge those responsibilities with respect to South West Africa;
6. Establishes an Ad Hoc Committee for South West Africa - composed of fourteen Member States to be designated by the President of the General Assembly - to recommend practical means by which South West Africa should be administered, so as to enable the people of the Territory to exercise the right of self-determination and to achieve independence, and to report to the General Assembly at a special session as soon as possible and in any event not later than April 1967;
7. Calls upon the Government of South Africa forthwith to refrain and desist from any action, constitutional, administrative, political or otherwise, which will in any manner whatsoever alter or tend to alter the present international status of South West Africa;
8. Calls the attention of the Security Council to/^{the}present resolution;
9. Requests all States to extend their whole-hearted co-operation and to render assistance in the implementation of the present resolution;
10. Requests the Secretary-General to provide all assistance necessary to implement the present resolution and to enable the Ad Hoc Committee for South West Africa to perform its duties.

114-2(SA, Portugal)-3(UK, France, Malawi)